

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Please cancel claims 7 and 9 without prejudice or disclaimer.

Please rewrite claim 1 and add new claim 15 as follows.

**Listing of Claims:**

1. (Currently Amended) A semiconductor element, comprising:
  - a substrate;
  - an underlayer on the substrate comprising a first semiconductor nitride including at least Al, the crystallinity of the underlayer being set to have a full width at half maximum X-ray rocking curve value of 90 seconds or below;
  - a buffer layer on the underlayer comprising a second semiconductor nitride; and
  - a semiconductor layer group on the buffer layer comprising a third semiconductor nitride including at least Ga, and being independent from the buffer layer and the underlayer, wherein an Al content of the third semiconductor nitride is set smaller than that of the first semiconductor nitride, the thickness of the underlayer is set within 0.5-1000  $\mu$ m, and the thickness of the buffer layer is set within 0.002-0.1  $\mu$ m.
2. (Previously Presented) A semiconductor element as defined in claim 1, wherein the Ga content of the second semiconductor nitride is set to be not more than that of the third semiconductor nitride.

- 3: (Previously Presented) A semiconductor element as defined in claim 1, wherein the Al content of the first semiconductor nitride is at least 50 atomic percentage of all of the III elements present in the first semiconductor nitride.
4. (Original) A semiconductor element as defined in claim 3, wherein the first semiconductor nitride is AlN.
5. (Previously Presented) A semiconductor element as defined in claim 1, wherein the underlayer is formed at a temperature of at least 1100°C by a MOCVD method.
6. (Original) A semiconductor element as defined in claim 5, wherein the underlayer is formed within 1100-1250°C.
7. (Canceled)
8. (Previously Presented) A semiconductor element as defined in claim 1, wherein the substrate is made of sapphire single crystal, and the underlayer is formed on the main surface of the substrate via a surface nitride layer formed at the main surface.
9. (Canceled)
10. (Original) A semiconductor element as defined in claim 1, wherein the Al content of the first semiconductor nitride is decreased continuously or stepwisely from the substrate toward the buffer layer.

11. (Original) A semiconductor element as defined in claim 1, wherein the semiconductor layer group includes a GaN semiconductor layer.
12. (Previously Presented) A semiconductor element as defined in claim 1, wherein the full width at half maximum X-ray rocking curve value of the semiconductor layer group is set to 150 seconds or below.
13. (Previously Presented) A photonic device comprising a semiconductor element as defined in claim 1.
14. (Previously Presented) A semiconductor element as defined in claim 1, wherein the thickness of the buffer layer is smaller than the thickness of the underlayer and the thickness of the semiconductor layer group.
15. (New) A semiconductor element as defined in claim 1, wherein the thickness of the underlayer is greater than 0.5  $\mu\text{m}$  and equal to or less than 1000  $\mu\text{m}$ .